

**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF TEXAS  
McALLEN DIVISION**

UNITED STATES OF AMERICA,	*	
Plaintiff,	*	
v.	*	CIVIL NO. M-12-147
	*	
PROCEEDS FROM PACIFIC LIFE	*	
INSURANCE ANNUITY POLICY	*	
VP65240580 TO WIT: FORTY-FOUR	*	
THOUSAND TWO HUNDRED THIRTY-	*	
SEVEN DOLLARS AND THIRTY-ONE	*	
CENTS (\$44,237.31),	*	
Defendant.	*	

**COMPLAINT FOR FORFEITURE**

TO THE HONORABLE JUDGE OF SAID COURT:

COMES NOW the United States of America, Plaintiff in the above entitled and numbered cause, by and through its United States Attorney for the Southern District of Texas and its Assistant United States Attorney assigned to this matter, and files this Complaint for Forfeiture seeking the forfeiture to the United States of proceeds from Pacific Life Insurance Annuity policy VP65240580 to wit: forty-four thousand two hundred thirty-seven dollars and thirty-one cents (\$44,237.31), hereinafter referred to as "the Defendant Currency," and would respectfully show the Court the following:

I.

Jurisdiction is conferred upon this Court by virtue of Title 28, United States Code, §§ 1345 and 1355.

II.

The Defendant Currency is within the jurisdiction of the Court having been seized by agents of the United States of America.

III.

This Court is a proper venue for this matter pursuant to Title 28, United States Code, § 1395.

IV.

The Defendant Currency is property which constitutes or was derived from proceeds traceable to a violation of 18, United States Code, §§ 1347 and/or 1349 and is subject to forfeiture to the United States pursuant to Title 18, United States Code, §§ 981(a) (1) (C), 1956(c) (7) (F) .

The Defendant Currency is property involved in a transaction or attempted transaction in violation of Title 18, United States Code, §§ 1956 and/or 1957 and is subject to forfeiture to the United States pursuant to Title 18, United States Code, § 981(a) (1) (A) .

V.

In support of the assertions in paragraph IV., Plaintiff would respectfully refer the Court to the Declaration of Special Agent Robert Kunz, attached as Attachment 1 and incorporated herein by reference pursuant to Rule 10(c) of the Federal Rules of Civil Procedure.

VI.

The United States respectfully demands trial by jury as to all questions of fact.

VII.

By reason of the foregoing, the Defendant Currency is subject to forfeiture to the United States of America.

WHEREFORE, PREMISES CONSIDERED, Plaintiff prays for the following:

1. That monition issue according to the normal procedure of the Court citing all persons having an interest in the Defendant Currency to appear on the return day of said process and make such

claim and answer as they may have;

2. That judgement of forfeiture be entered against the Defendant Currency;

3. That, following the entry of a judgment of forfeiture, that the Defendant Currency be disposed of by the United States Marshals Service according to law; and

4. That Plaintiff recover the costs of this action, and for such additional relief to which Plaintiff may show itself entitled.

Respectfully submitted,

KENNETH MAGIDSON  
UNITED STATES ATTORNEY

/S/ Allan Hoffmann  
Allan Hoffmann  
Assistant U. S. Attorney  
Attorney-in-Charge  
Texas Commerce Bank Building  
1701 W. Business 83, Suite 600  
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**VERIFICATION**

I, Allan Hoffmann, Assistant United States Attorney for the Southern District of Texas, declare under penalty of perjury that I am the attorney for the Plaintiff in this case, that I have read the foregoing Complaint for Forfeiture, and, upon information and belief, that the assertions contained therein are true, this assertion being based on the attached Declaration of Special Agent Kunz.

/S/ Allan Hoffmann  
Allan Hoffmann  
Assistant U.S. Attorney